



Atty. Dkt. No. 023533-0113

AF #
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6/26/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lawrence E. CORNETT et al.
Title: RECOMBINANT BETA2-ADRENERGIC RECEPTOR DELIVERY AND USE
IN TREATING AIRWAY AND VASCULAR DISEASES
Appl. No.: 09/783,580
Filing Date: 02/15/2001
Examiner: Scott David Priebe
Art Unit: 1632

RECEIVED

JUN 19 2003

TECH CENTER 1600/2900

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals from the decision of the final rejection dated January 15, 2003, and the Advisory Action dated May 22, 2003, of the Examiner finally rejecting Claims 1-5, 8-31, 33-35, 38 and 44-57.

- ☒ [X] Applicant claims small entity status.
- ☒ [X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:
- ☒ [X] Notice of Appeal Fee
- ☒ [X] To be paid as detailed below
- ☐ [] Not required (Fee paid in prior appeal)

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The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$320.00
<input checked="" type="checkbox"/>	Extension for response filed within the second month:	\$410.00
<input checked="" type="checkbox"/>	Extension Already Obtained for first month:	\$110.00
	FEE TOTAL:	\$620.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$310.00
	TOTAL FEE:	\$310.00

- ☐ Please charge Deposit Account No. 19-0741 in the amount of \$310.00 . A duplicate copy of this transmittal is enclosed.
- ☒ A check in the amount of \$310.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date June 16, 2003

FOLEY & LARDNER
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 672-5483

Facsimile: (202) 672-5399

By Jayne A. Hulbatt
for Richard C. Peet Reg. No 34,485
Attorney for Applicant
Registration No. 35,792